

46 Am. Jur. 2d Judges § 15

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Judges

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IV. Termination or Suspension of Office; Censure

A. Termination, Resignation, or Retirement

§ 15. Judicial activities of judges following resignation or retirement

[Topic Summary](#) | [Correlation Table](#) | [References](#)

West's Key Number Digest

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Some states have statutory or constitutional provisions by which retired judges may be assigned to sit as judges.¹ A judge who has retired does not have a constitutional due process right to a judicial review of a determination not to reinstate such judge to judicial duties, since such a determination does not affect a property right.² A judge who resigns or retires from a court after hearing a matter may be allowed to participate fully in consideration of the case subsequent to the judge's retirement.³

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Footnotes

- 1 [In re National Recreation Products, Inc.](#), 403 F. Supp. 1399 (C.D. Cal. 1975).
- 2 [Marro v. Bartlett](#), 61 A.D.2d 729, 403 N.Y.S.2d 924 (3d Dep't 1978), judgment *aff'd*, 46 N.Y.2d 674, 416 N.Y.S.2d 212, 389 N.E.2d 808 (1979).
- 3 [Wolfe v. Yudichak](#), 153 Vt. 235, 571 A.2d 592, 59 Ed. Law Rep. 133 (1989).

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